

ORDINANCE NO. 02-5226

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION
ON **TRACTS 1 AND 2 OF RUSH ACREAGE TRACTS
SUBDIVISION AND LOTS 1-3, 5 AND 6 OF BLOCK 6, RUSH
SUBDIVISION, 2ND FILING.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. RECITALS. Whereas, M.C.A. 76-2-304 and the City Zoning Ordinance No. 3797, as amended by Ordinance No. 4102, Section 7.01, provide for amendment to the City Zoning Map from time to time, the City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Staff and Zoning Commission have considered the twelve (12) criteria required by M.C.A., Title 76, Chapter 2, Part 3. The recommendations of the Staff and Zoning Commission have been submitted to the City Council and the City Council, in due deliberation, has considered the twelve (12) criteria required by State Law.

2. DESCRIPTION. That **TRACTS 1 AND 2 OF RUSH ACREAGE TRACTS SUBDIVISION AND LOTS 1-3, 5 AND 6 OF BLOCK 6, RUSH SUBDIVISION, 2ND FILING** is/are presently zoned **Residential – 9,600** and is shown on the official zoning map within this zone.

3. ZONE AMENDMENT. That Ordinance No. 3797, as amended by Ordinance No. 4102, and the official zoning map are hereby amended and the zoning for **TRACTS 1 AND 2 OF RUSH ACREAGE TRACTS SUBDIVISION AND LOTS 1-3, BLOCK 6 OF RUSH SUBDIVISION, 2ND FILING** is/are hereby changed from **Residential – 9,600** to **Residential 7,000** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining **Residential 7,000** as defined in the Zoning Ordinance and Billings Montana City Code (BMCC).

That Ordinance No. 3797, as amended by Ordinance No. 4102, and the official zoning map are hereby amended and the zoning for **LOTS 5-6, BLOCK 6 OF RUSH SUBDIVISION, 2ND FILING** is/are hereby changed from **Residential – 9,600** to **Residential Multi-Family Restricted** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining **Residential Multi-Family Restricted** as defined in the Zoning Ordinance and Billings Montana City Code (BMCC).

4. REPEALER. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

5. EFFECTIVE DATE. That this ordinance shall be effective from and after final passage and as provided by law.

ORDINANCE NO. 02-_____

PASSED by the City Council on first reading October 28, 2002.

PASSED, ADOPTED AND APPROVED on second reading November 12, 2002.

CITY OF BILLINGS:

BY: _____
Charles F. Tooley, MAYOR

ATTEST:

BY: _____
Marita Herold, CMC/AEE CITY CLERK

ZC#669